

STATE OF COLORADO

Bill Ritter, Jr., Governor
Martha E. Rudolph, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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Colorado Department
of Public Health
and Environment

July 29, 2010

Certified Mail # 7005 1820 0000 3210 7293
Return Receipt Requested

Mr. Jung Sin Kim
King's One Hour Cleaners
3217 S. Academy Blvd.
Colorado Springs, CO 80916

**RE: COMPLIANCE ORDER AND ASSESSMENT OF ADMINISTRATIVE PENALTY
ORDER NUMBER 10-07-29-01**

Dear Mr. Kim,

You are hereby served with the enclosed Compliance Order Number and Assessment of Administrative Penalty {Order Number 10-07-29-01} by the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment (the "Department") pursuant to section 25-15-308, C.R.S.

This Order is issued, jointly and severally, to you and to JSK Cleaners, Inc. d/b/a King's One Hour Cleaner and Laundromat ("King's One Hour Cleaner") (collectively "the Parties") based upon findings by the Department that the Parties have violated the Colorado Hazardous Waste Act, sections 25-15-301 through 316, C.R.S. (the "Act") and the Colorado Hazardous Waste Regulations at 6 CCR 1007-3 (the "Regulations") as more particularly described in the enclosed Compliance Order.

You are hereby notified that the enclosed Compliance Order becomes effective immediately upon receipt. If you wish to appeal this Compliance Order, please submit a written request within thirty (30) calendar days of receipt of this Order in accordance with the provisions of 25-15-308(3)(a), C.R.S. Upon such written request, a hearing will be scheduled in accordance with section 24-4-105, C.R.S., and the obligation to submit payment of any monetary penalty pursuant to the Order shall be stayed pending the results of the hearing and any subsequent judicial review. The filing of an appeal does not negate the Parties' obligation to otherwise comply with the Order.

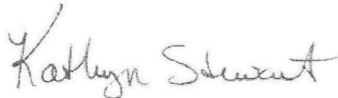
Mr. Kim
King's One Hour Cleaners
July 29, 2010
Cover Letter – page 2

If the Parties do not contest the findings and assessments set out in the Order, payment of the penalty for the violations may be forwarded to the Colorado Department of Public Health and Environment. Payment must be made within thirty (30) days of the effective date of this Order by certified or cashier's check drawn to the order of the "Colorado Department of Public Health and Environment" and delivered to the attention of Mr. Randy Perila of the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment located at 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.

Should you desire to schedule a hearing, or have any questions regarding this Compliance Order, please contact me at (303) 692-3307. If you have retained legal counsel, he or she may contact Robert Eber of the Colorado Attorney General's Office at (303) 866-5034 to discuss legal aspects of this case.

I urge you to give this matter your immediate attention.

Sincerely,



Kathryn Stewart, Unit Leader
Hazardous Waste Compliance Assurance Unit
Hazardous Materials and Waste
Management Division

Enclosure: Compliance Order No. 10-07-29-01

cc w/ enclosure:

Robert J. Eber, Office of the Attorney General
Beth Ann Williams, HMWMD

981541436/2658



M&E/1.4/39

M&E Records - Correspondence - From Agency - Compliance
Order and Assessment of Administrative Penalty Order Number
10-07029-01

981541436

7/29/2010

King's One Hour Cleaners



**COLORADO DEPARTMENT OF PUBLIC HEALTH AND
ENVIRONMENT**

**HAZARDOUS MATERIALS AND WASTE MANAGEMENT
DIVISION**

**COMPLIANCE ORDER AND ASSESSMENT OF ADMINISTRATIVE PENALTY
ORDER NUMBER 10-07-29-01**

**IN THE MATTER OF JSK CLEANERS, INC. d/b/a KING'S ONE HOUR CLEANER
AND LAUNDROMAT and MR. JUNG SIN KIM**

This Compliance Order is issued, jointly and severally, to JSK Cleaners, Inc. d/b/a King's One Hour Cleaner and Laundromat ("King's One Hour Cleaner") and Mr. Jung Sin Kim ("Mr. Kim") (collectively "the Parties") by the Colorado Department of Public Health and Environment, the Hazardous Materials and Waste Management Division ("the Department"), pursuant to the Department's authority under section 25-15-308(2), C.R.S., of the Colorado Hazardous Waste Act, sections 25-15-101 to 515, C.R.S. (the "Act"). The Department, as set forth herein, has determined that the Parties have violated, or are in violation of, certain provisions of the Act and the Colorado Hazardous Waste Regulations (the "Regulations"), 6 CCR 1007-3, and are hereby ordered to come into compliance with the Act and the Regulations.

General Findings of Fact and Conclusions of Law

1. At all times relevant to the violations cited herein, JSK Cleaners, Inc. was a Colorado corporation in good standing and registered to conduct business in the State of Colorado. Colorado Secretary of State Business Center records list the formation date of the corporation as August 31, 2000 and September 6, 2000 as the effective date of the trade name. JSK Cleaners, Inc. is an "operator" of King's One Hour Cleaner, as that term is defined by 6 CCR 1007-3, section 260.10.
2. Mr. Kim is the President of JSK Cleaners, Inc., and is an "operator" of King's One Hour Cleaner, as that term is defined by 6 CCR 1007-3, section 260.10. Mr. Kim routinely makes environmental compliance decisions on behalf of King's One Hour Cleaner and the Facility.
3. JSK Cleaners, Inc. and Mr. Kim are "persons" under the Act and the Regulations (section 25-15-101(13), C.R.S.; 6 CCR 1007-3, section 260.10).

4. At all times relevant to the violations cited herein, the Parties operated the King's One Hour Cleaner dry cleaning facility located in the Mission Trace Shopping Center at 3217 S. Academy Boulevard in Colorado Springs, Colorado (the "Facility"). The Parties' dry cleaning operations at the Facility include the use of the dry cleaning solvent perchloroethylene (a/k/a "tetrachloroethylene" and also referred to as "PCE" or "perc"). Dry cleaning operations have been conducted at this facility location since 1986. The Parties commenced operations at the Facility in 2000 and have continuously operated since that date.
5. On or about September 2, 1986, King's One Hour Cleaner submitted a Notification of Hazardous Waste Activity (EPA Form 8700-12) to the Department stating that its operations included the generation of F002 listed hazardous waste at the Facility. King's One Hour Cleaner was issued the EPA identification number COD981541436. Subsequent notifications for the Facility were filed with the Department on or about May 10, 1991, July 14, 2006, and October 21, 2009. King's One Hour Cleaner is currently listed as a conditionally exempt small quantity generator (generates less than 100 kg per month) of hazardous waste at the Facility.
6. The Parties generate the following hazardous wastes from dry cleaning operations at the Facility:
 - Spent filters from the dry cleaning machine contaminated with spent PCE (F002);
 - PCE sludge from the distillation of spent PCE (F002);
 - Separator water contaminated with PCE (F002); and
 - Lint contaminated with PCE (F002).
7. The Parties do not have and have never had a permit or interim status for the treatment, storage, or disposal of hazardous waste at the Facility.
8. On August 26, 2009, the Division conducted an unannounced inspection, pursuant to the Division's authority under section 25-15-301(3), C.R.S., at the Facility for the purpose of determining compliance with the Act and the Regulations. The inspection was conducted to investigate possible mismanagement of hazardous waste at the Facility, following the discovery of PCE in a down-gradient municipal well.
9. At the time of the August 26, 2009, Division inspectors observed PCE staining on the wall above the hazardous waste storage drum located near the dry cleaning machine, and on the floor at the base of the hazardous waste storage drum located in the back of the Facility. A Compliance Advisory was issued to King's One Hour Cleaner at the time of inspection for failure to maintain and operate a facility in a manner that minimizes the possibility of a release, in violation of 6 CCR 1007-3, section 261.5(b)(5).
10. On or about August 27, 2009, the Division received a copy of a September 23, 2005 Phase I Environmental Site Assessment Report prepared by EBI Consulting regarding the

Mission Trace Shopping Center. Results of the environmental investigation indicated the presence of PCE in the soil in the vicinity of the Facility.

11. On September 9, 2009, the Division received an e-mail from Mr. Kim in response to the August 26, 2009 Compliance Advisory. The September 9, 2009 e-mail did not contain a written response, but rather contained pictures taken after cleaning of the PCE-stained areas at the Facility in response to the August 2009 Compliance Advisory.
12. On October 14, 2009, the Division conducted a random compliance evaluation inspection at the Facility, pursuant to the Environmental Results Program, to determine compliance with the Act and the Regulations. The Division inspector noticed that the PCE staining observed at the time of the August 26, 2009 inspection had been scrubbed clean.
13. At the time of the October 14, 2009 inspection, Mr. Kim indicated that he disposes of the separator water generated at the Facility by emptying the buckets of separator water onto the pavement of the front parking lot of the Facility. A second Compliance Advisory was issued to King's One Hour Cleaners at the time of the October 14, 2009 inspection. In the October 14, 2009 Compliance Advisory, King's One Hour Cleaners was instructed to ensure the facility is operated and maintained in a manner that minimizes the possibility of an unplanned release, and to ensure that separator water is disposed as an F002 hazardous waste.
14. In his signed written response to the October 14, 2009 Compliance Advisory statement, Mr. Kim confirmed that the Facility had been disposing of its separator water by throwing it out into the front parking lot at the Facility. Mr. Kim indicated that the Facility had recently purchased an evaporator unit and was now evaporating its separator water.
15. On December 9, 2009, the Division held a Compliance Conference by teleconference with Mr. Kim to discuss the August 26, 2009 and October 14, 2009 Compliance Advisories.
16. On February 2, 2010, the Division issued a draft Compliance Order on Consent to the Parties for violations noted at the Facility at the time of the August 26, 2009 and October 14, 2009 inspections. The mutual objectives of the Compliance Order on Consent were to:
 - a. establish compliance requirements and criteria for the continued operation of the Facility;
 - b. establish requirements and schedules for the investigation into the nature and extent of any hazardous waste or hazardous constituent contamination at, or relating to, the hazardous waste management facility located at the Facility;
 - c. establish requirements and schedules for the remediation, if necessary, of any contamination at, or relating to, the Facility; and

- d. resolve the violations of the Act and the Regulations cited in the Compliance Advisories issued to King's One Hour Cleaner by the Division on August 26, 2009 and October 14, 2009.
17. On March 25, 2010, the Division held a settlement conference with the Parties regarding the draft Consent Order that was issued to the Parties on February 2, 2010.
18. Efforts to reach a negotiated settlement with the Parties have been unsuccessful, and the Division is now issuing the Compliance Order as a Unilateral Order to the Parties, jointly and severally.
19. Corrective action for remediation of the PCE contamination at the Facility is currently being conducted by New Mission LLC, the property owner.

Violation
(Illegal Disposal of Hazardous Waste)

20. Paragraphs 1 through 19 of this Compliance Order are incorporated herein by reference.

Findings of Fact

21. At the time of the October 14, 2009 inspection, Mr. Kim indicated that he disposes of the Facility's separator water by emptying the buckets of separator water onto the pavement of the front parking lot of the Facility.
22. In his signed written response to the October 14, 2009 Compliance Advisory, Mr. Kim confirmed that the Facility had been disposing of its separator water by throwing it out into the front parking lot at the Facility.

Conclusions of Law

23. Pursuant to 6 CCR 1007-3, section 261.2(a), a solid waste is any discarded material that is not otherwise excluded from regulation. A discarded material is any material which is abandoned by being disposed of, burned or incinerated, or accumulated, stored or treated before or in lieu of being abandoned by being disposed of, burned or incinerated.
24. The spent PCE wastes generated by the Parties from dry cleaning operations at the Facility are solid wastes as defined by 6 CCR 1007-3, section 261.2.
25. Pursuant to 6 CCR 1007-3, section 261.3(a), a solid waste is a hazardous waste if the waste has no commercial use or value and it exhibits any characteristic of hazardous waste or it has been listed as a hazardous waste.

26. Pursuant to 6 CCR 1007-3, section 261.31, spent halogenated solvents, including spent PCE, are listed as hazardous waste (F002).
27. The spent PCE wastes generated by the Parties from dry cleaning operations at the Facility are F002 listed hazardous waste.
28. 6 CCR 1007-3, section 260.10 defines disposal of a hazardous waste as the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste or hazardous waste into or on any land or water so that such solid or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including ground waters.
29. Pursuant to section 25-15-308(1)(b), C.R.S. and 6 CCR 1007-3, Part 100, no person shall dispose of any hazardous waste on-site without having obtained either state or federal interim status, a federal permit, or a permit issued by the Department.
30. The Parties have disposed of F002 hazardous waste into the environment at the Facility without having a permit or interim status, in violation of section 25-15-308(1)(b), C.R.S. and 6 CCR 1007-3, section 100.10.

COMPLIANCE ORDER

Based on the foregoing factual and legal determinations and pursuant to section 25-15-308(2), C.R.S., the Parties, jointly and severally, are hereby ordered to:

31. Upon the effective date of this Consent Order, make hazardous waste determinations for all solid waste streams generated at the Facility, in compliance with 6 CCR 1007-3, section 262.11.
32. Upon the effective date of this Consent Order, ensure that all hazardous wastes generated at the Facility are managed in accordance with the Act and the Regulations. Specifically, King's One Hour Cleaners and Mr. Kim shall ensure that all hazardous waste generated at the Facility is either treated in an on-site facility or delivered to a permitted hazardous waste treatment, storage or disposal facility, in compliance with 6 CCR 1007-3, sections 261.5(g)(3) and 100.10, and section 25-15-308(1)(b), C.R.S. King's One Hour Cleaner is currently evaporating the facility's separator water in an on-site misting unit.
33. The Department reserves the right to impose any additional conditions or requirements necessary for compliance with the Act or the Regulations or to protect human health and the environment.

NOTICE OF LIABILITY FOR ADMINISTRATIVE PENALTIES

34. Section 25-15-309, C.R.S. provides that any person who violates Section 25-15-308, C.R.S., which includes violations of Part 3 of the Act, Sections 25-15-301 to 327, C.R.S., and the Colorado Hazardous Waste Regulations 6 CCR 1007-3, or any Compliance Order of the Department of Health which is not subject to a stay pending judicial review, shall be subject to a administrative penalty of not more than \$15,000 per violation per day during which such violation occurs. Based upon the facts described in this Order, and taking into account the factors prescribed by statute, i.e., the seriousness of violations and any good faith efforts to comply with applicable statutory and regulatory requirements, the Department assesses an administrative penalty of \$15,000.00 for the violation in this Order as follows:

Violation	Assessed Penalty
1. Illegal Disposal of Hazardous Waste	\$15,000.00
Administrative Penalty Total:	\$15,000.00

This penalty was calculated in accordance with the Department's Penalty Policy. The reasoning behind this penalty is detailed in the penalty calculation worksheets for this case, which are incorporated herein by reference and enclosed as Attachment 1.

TERMS OF PENALTY PAYMENT

35. If the Parties do not contest the findings and assessments set out above, payment of the penalty for the violations may be forwarded to the Colorado Department of Public Health and Environment. Payment must be made, within thirty (30) days of the effective date of this Order, by certified or cashier's check drawn to the order of the "Colorado Department of Public Health and Environment" and delivered to the attention of Mr. Randy Perila of the Hazardous Materials and Waste Management Division of the Colorado Department of Public Health and Environment located at 4300 Cherry Creek Drive South, Denver, Colorado 80246-1530.
36. Payment of the penalty in this manner does not relieve the Parties of their obligation to perform the activities required in this Compliance Order.

NOTICE OF EFFECTIVE DATE OF ORDER

37. This Compliance Order is effective immediately upon receipt.

OPPORTUNITY TO APPEAL

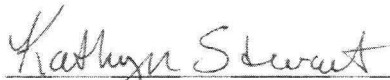
38. Pursuant to section 25-15-308(3), C.R.S., the Parties have the right to file an appeal within thirty (30) calendar days of receipt of this Compliance Order. The Notice of appeal shall be filed by personal service or by registered mail, return receipt requested, with the Office of Administrative Courts in the Department of Personnel, and with the Executive Director of the Department or the Executive Director's designee. The filing of an appeal of this Compliance Order shall stay the obligation to submit payment of any monetary penalty pursuant to this Compliance Order. The filing of an appeal does not, however, negate the Parties' obligation to otherwise comply with the Order. Should you have any questions regarding this Compliance Order, you may contact:

Kathryn Stewart, Unit Leader
Hazardous Waste Compliance Assurance Unit
Hazardous Materials and Waste Management Division
Colorado Department of Public Health and Environment
HMWMD-CP-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530
Telephone: (303) 692-3307

Questions of a legal nature shall be directed to:

Robert Eber, Senior Assistant Attorney General
Office of the Attorney General
Natural Resources and Environment Section
Attorney for the Division
1525 Sherman Street, 5th Floor
Denver, Colorado 80203
Telephone: (303) 866-5034

FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT:



Kathryn Stewart, Unit Leader
Hazardous Waste Compliance Assurance Unit
Hazardous Materials and Waste
Management Division

7/29/2010
Date

Approved as to Form:

Robert Eber

Robert Eber # 16840*

Senior Assistant Attorney General

Office of the Attorney General

Natural Resources and Environment Section

Attorney for the Division

1525 Sherman Street, 5th Floor

Denver, Colorado 80203

Telephone: (303) 866-5034

*Counsel of Record

9/30/10
Date

Facility Name: King's One Hour Cleaners
EPA ID Number: COD981541436
PENALTY COMPUTATION WORKSHEET SUMMARY
DATE: July 21, 2010

Penalty Calculation Number 1.....\$ 15,000

Violation: Disposal of hazardous waste on-site, at 3217 South Academy Blvd, Colorado Springs, CO, without having interim status or a permit.

Statute/Regulation Violated: 6 CCR 1007-3, sections 261.5(g)(3) and 100.10 and section 25-15-308(1)(b) C.R.S.

TOTAL PENALTY.....\$ 15,000

Facility Name: King's One Hour Cleaners
PENALTY COMPUTATION WORKSHEET
SUMMARY OF ECONOMIC BENEFIT
Date July 21, 2010

Economic Benefit Calculation Number 1.....\$0

TOTAL CALCULATION FOR ECONOMIC BENEFIT.....\$0

CONSIDERATION OF STATUTORY FACTORS

The factors to be considered in determining an appropriate penalty in accordance with the provisions of 25-15-309(3) C.R.S. are incorporated into this penalty calculation to the extent that information is available. The factors are incorporated as follows:

- Factor A. The seriousness of the violation. *This factor is incorporated as the 'Seriousness of the Violation' in each calculation.*
- Factor B. Whether the violation was intentional, reckless, or negligent. *This factor is incorporated as an adjustment for intent, recklessness, and/or negligence in each calculation.*
- Factor C. The impact upon or the threat to the public health or the environment as a result of the violation. *This factor is incorporated as the 'Impact or Threat' in each calculation.*
- Factor D. The degree of recalcitrance or recidivism upon the part of the violator. *This factor is incorporated as an adjustment for history of non-compliance in each calculation.*
- Factor E. The economic benefit realized by the violator as a result of the violation. *This factor is incorporated as an adjustment for economic benefit of non-compliance in each calculation.*
- Factor F. The voluntary and complete disclosure by the violator of a violation in a timely fashion after discovery and prior to the Department's knowledge of the violation provided that all reports required pursuant to the state environmental law have been submitted as and when otherwise required. *The violations in this case were not voluntarily disclosed and, therefore, no mitigation of the penalty was considered for this factor.*
- Factor G. Full and prompt cooperation by the violator following disclosure of a violation. *The violations in this case were not voluntarily disclosed and, therefore, no mitigation of the penalty was considered for this factor.*
- Factor H. The existence of a regularized and comprehensive environmental compliance program or an environmental audit program that was adopted in a timely and good faith manner and that includes sufficient measures to identify and prevent future noncompliance. *At the time of the violations, King's One Hour Cleaners did not have a comprehensive environmental compliance program. The nature of the violations is evidence that such a compliance program was not in place at the Facilities. No mitigation of the penalty is warranted due to the implementation of a management system.*
- Factor I. Any other aggravating or mitigating circumstances. *This factor may be incorporated as an adjustment in each calculation.*

PENALTY COMPUTATION WORKSHEET
VIOLATION NUMBER 1:

Company Name: King's One Hour Cleaners

EPA ID Number: COD981541436

Regulation Violated: 6 CCR 1007-3, sections 261.5(g)(3) and 100.10 and section 25-15-308(1)(b) C.R.S., disposal of hazardous waste at 3217 South Academy Blvd, Colorado Springs, CO, without having interim status or a permit.

Date of Inspection: October 14, 2009

Lead Inspector: Beth Ann Williams

PART I – SERIOUSNESS OF VIOLATION

1. **Default:** Major-Major

2. **Seriousness of the Violation:** (*Statutory Factor A*) Major

Justification: During a random environmental results program (ERP) compliance evaluation inspection on October 14, 2009 Mr. Jung Sin Kim indicated that he disposes of his tetrachloroethylene (PCE)-contaminated separator water by emptying full buckets onto the pavement of the front parking lot of his facility. One of the key elements of the hazardous waste regulatory program is to prohibit the disposal of hazardous waste at facilities that do not have interim status or a permit for such disposal. Permits establish the technical and administrative controls that are necessary to ensure protection of human health and the environment and are a key regulatory requirement in the overall cradle to grave waste management program. Tetrachloroethylene -contaminated separator water is an F002 Listed hazardous waste. Therefore, this violation of unpermitted disposal of hazardous waste represents a **Major** deviation from the regulatory requirements.

3. **Impact or Threat:** (*Statutory Factor C*) Major

Justification: Based upon information contained in the above referenced inspection, hazardous waste containing tetrachloroethylene has been released into the environment at King's One Hour Cleaners located at 3217 South Academy Blvd, Colorado Springs, CO. Tetrachloroethylene is reasonably anticipated to be a human carcinogen and has been discovered at levels above drinking water standards in groundwater monitoring wells associated with a plume originating from the facility's location. Because releases have been admitted and confirmed the impact or threat to human health and the environment for this violation has been assessed as **Major**.

4. **Base Penalty from Penalty Matrix:** \$25,000

5. **Number of Counts:** 1

Justification: The Division has assessed 1 count to this violation because the operator was out of compliance with one regulatory requirement at one facility, 3217 South Academy Blvd, Colorado Springs, CO.

6. **Total Per-Count Penalty:** \$25,000

PART II – PENALTY ADJUSTMENTS

1. **Intentional and/or Reckless:** *(Statutory Factor B)* 0%

Justification: An adjustment for this factor is not warranted because the Facility's actions did not appear to be intentional and/or reckless.

2. **Degree of Recalcitrance or Recidivism:** *(Statutory Factor D)* 0%

Justification: An adjustment for this factor is not warranted because the Facility does not appear to have a history of noncompliance.

3. **Voluntary and complete disclosure of violation by the violator prior to the Departments knowledge of the violation:** *(Statutory Factor F)* 0%

Justification: An adjustment for this factor is not warranted because the Facility did not voluntarily disclose the violation in question.

4. **Full and prompt cooperation by the violator after disclosure of a violation:** *(Statutory Factor G)* 0%

Justification: An adjustment for this factor is not warranted because the Facility did not voluntarily disclose the violation in question.

5. **The existence of a comprehensive environmental compliance program:** *(Statutory Factor H)* 0%

Justification: An adjustment for this factor is not warranted because the Facility does not have an environmental management compliance program that includes sufficient measures to identify and prevent future non-compliance.

6. **Other aggravating or mitigating circumstances:** *(Statutory Factor I)* 0%

Justification: An adjustment for this factor is not warranted.

7. **Total Adjustments:** \$0

8. **Adjusted Per-Day Penalty:** \$25,000

9. **Number of Days of Violation:** 1 Day Applied

Justification: One day of violation has been applied because the Department is unable to determine the number of times the disposal occurred.

10. **Multi-day Penalty:** 1 day of violation x \$25,000 per day = \$25,000

11. **Economic Benefit:** *(Statutory Factor E)* \$0

ATTACHMENT 1 TO COMPLIANCE ORDER NUMBER 10-07-29-01

Justification: The Division has evaluated the potential for economic benefit associated with this violation. Disposal of hazardous waste is normally a violation for which an economic benefit can be calculated. However, in this case, the Division does not have information to determine the volume of hazardous waste that was released to the environment. Therefore, an economic benefit for this violation cannot be determined.

12. Total Penalty Amount: \$25,000

The Colorado Revised Statute limits the Division's ability to assess administrative penalties to no more than \$15,000 per day per violation. Therefore, the maximum penalty that may be assessed for this violation is \$15,000.